

rulings from the court is one that I guess I'm not willing to be held responsible because of the amendment for another court case or another decision by the court that says, oh no, wait, this excise tax...and that's clearly what this is, there's no way in hell you can figure out that a surcharge on depreciation is anything but an excise tax, but if anybody is going to try to do it, it would be our Supreme Court based on their past decisions. The issue here is I'm not willing to give them the bait that my amendment very may likely do to do just that. I mean, this isn't the same time, it's not the same Constitution. It's a totally different revenue issue, but that hasn't impacted them in the past and who says it's going to impact them in the future. So I'm going to vote for the rule suspension even though I, in my heart of hearts, feel exactly the way Ernie does about this issue, because it just shows straightforward what kind of, I guess, feelings folks have for those of us that deal with these issues on a straightforward basis up front and yet we've got to dig underneath the pile to find out what the heck is really there. And, in this case, you know, we never did find out till the amendment came up and then all of a sudden the proverbial paper hit the fan out in the Rotunda. I'm ready to suspend the rules, take the amendment off. The practical effect, if the amendment was left on for somebody like a Great Western or any of the multistate corporations that you're talking about, is really nil. It amounts to maybe they would eat up their 775 benefits faster. It doesn't...it doesn't amount to anything in terms of how it's going to impact those companies directly. I mean, they're not going to be paying more out. They're going to be just benefiting over a shorter period of time and, again, you've got to remember the surcharge and depreciation is a one-time, one-year kind of proposal. So it has no practical effect. All my purpose in raising the issue was to say, hey look, we deserve better, we deserve better from those who deal with this on a regular basis, that ask for our trust when it comes to offering pieces of legislation and when it comes to offering amendments, when it comes to dealing with the public on an up front basis. We didn't get dealt that way in this issue, plain and simple. It needs to go away. It needs to go away so it doesn't raise its head again in a lawsuit sometime down the road and I want to see you suspend the rules and pull the amendment.

PRESIDENT MOUL: Thank you, Senator Hall. Senator Landis.

SENATOR LANDIS: Madam President and members of the Legislature,